IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.56 OF 2000

Kalu Sitra Naik & Ors. ...Appellants
Vs.
Krishna S. Naik ...Respondent

Mr.P.J.Thorat i/b Mr.R.A.Thorat for the Appellants
Mr.Hardas i/b Mr.P.N.Joshi for the Respondent.

CORAM: A.S.OKA, J.
DATED: MAY 4,2005.

P.C.:

1. Heard Advocates for the parties. The Appeal is by the original Defendant Nos.1 to 5. The Courts below have concurrently held that though the order of regrant is in favour of the original Defendant No.1-Appellant No.1 he is not absolute owner of the land. A finding has been recorded that the father of the Defendant No.1 was holding property in question and on his demise the property was transferred in the name of Appellant No.1-Defendant No.1. The father of the Appellant No.1 was rendering services as a 'Kotwal' and after his demise, Appellant No.1 being his eldest son started rendering service as a 'Kotwal'.

2. The Courts below have concurrently held that the property was a joint family property. After regrant of the said property on account of abolition of Inam, the said property is available for partition.

3. No substantial question of law arises. Second Appeal is dismissed with no order as to costs.

Judge.